

Case No: [REDACTED]

Organization Name: Zeta Beta Tau

Charge Date:

Hearing Date: October 18, 2019

- Incident report/complaint
- Notice of investigation/meeting request
- Notice of charges
- Response to charges

Resolution documentation found in case [REDACTED]

**The Ohio State University
Sorority and Fraternity Life Reporting Form**

Submitted on September 23, 2019 at 12:59:35 pm EDT

Nature: **Sorority and Fraternity Life**
Urgency: **Alcohol**
Incident Date and Time: **2019-09-21**
Incident Location: **Greek chapter house 1935 Indianola Ave (ZBT House)**

Reported by

Name: **Dr. Kim Monteaux De Freitas**
Title:
Email: **defreitas.12@osu.edu**
Phone: **614-688-4696**
Address:

[UNAUTHENTICATED]

Involved Parties

Zeta Beta Tau ()

Questions

Please provide a detailed description of the incident(s)/concern(s) including as much detail as possible (e.g., names of those present and/or involved, dates, times, locations, etc.).

The following grievance was submitted to the JCJB grievance form.

"Hosting event with alcohol while not allowed to do so, incorrectly registered event, late registration of an event

ZBT registered a dry block as an event on 9/21/19. They registered their event the day before (9/20/19) (I will provide the event registration email receipt) and indicated that their event would not have alcohol present. [REDACTED] and I showed up for a mid-event check to complete the form we have in place for JCEOT. Upon arrival, [REDACTED] and I told [REDACTED] that we were there for the mid-event check. He immediately bolted away from us and had [REDACTED] show us around the event. While [REDACTED] had [REDACTED] back to the bar, I was watching several members lift the tarp and place cases of alcohol outside of the tarped area. We also noticed that most everyone at the event had beer in their cups. Once we left the venue, [REDACTED] and I walked around to the back of the tarped area where I had seen members placing the alcohol. I took a picture of Jeremy picking up a case of alcohol and putting it back underneath the tarp inside the area they were having their event.

Members present: [REDACTED]

Who responded or has been notified of the incident/concern? (Check all that apply)

None

Is the student and/or student organization aware of your concern(s) or that you have filed this incident report?

No

Attachments

zbtEVENTSUBMISSION1.png
zbt2.jpeg

Pending IR #00029709

Submitted from 140.254.8.225 and routed to Krystal Reeb (Associate Director). Processed by routing rule #596.

Copies to: defreitas.12@osu.edu,cugliari.6@osu.edu,reeb.47@osu.edu,smith.4941@osu.edu

September 26, 2019

██████ Zeta Beta Tau
Sent electronically to ████████████████████

PERSONAL AND CONFIDENTIAL

Regarding Case Number: ████████████████████

To the members of Zeta Beta Tau,

Student Conduct has received information that describes conduct by Zeta Beta Tau on September 21, 2019. The report details concerns related to an event involving alcohol, while ZBT was required to follow a directive prohibiting them from holding events with alcohol. I have attached a photo from September 21, 2019 to this letter. I am investigating whether this conduct may have occurred and violated the following sections of the university's Code of Student Conduct:

- 3335-23-04 (I) Alcohol. Use, underage intoxication, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy or facility policy.
- 3335-23-04 (G) Failure to Comply with University or Civil Authority. Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.

As a reminder, per the communication dated August 27, 2019, your chapter has been directed not to have any events where alcohol is present until further notice.

As a leader of the organization, you must contact Student Conduct **as soon as possible**, to schedule a preliminary conference with me. **I have held my calendar from 12-4pm on Monday September 30, 2019, for this conversation.** The purpose of this conference is twofold. First, I will explain and answer your questions about the Student Conduct process. Second, you will have the opportunity to explain what happened, to provide materials, and to identify other individuals with information about the alleged incident. Please submit any relevant materials (including your own written statement, text messages, photos, emails, etc.) by email to me at anderson.3443@osu.edu prior to our meeting.

You may bring one advisor and a registered co-leader (if applicable) to your preliminary conference. Your advisor can be any person who is not involved as a witness or other participant

in the case. Employees of the university's Student Advocacy Center (<http://advocacy.osu.edu>) are available to provide advisor services or other support throughout this process upon request. To find out more information about these services or to request advisor services, please e-mail the Student Advocacy Center at advocacy@osu.edu.

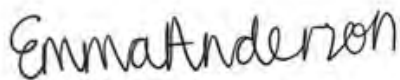
You will find the Code of Student Conduct and information about our process at <http://studentconduct.osu.edu>. Additionally, I have attached a Statement of Student Rights and a description of the university's Hearing Procedures to this letter.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you do not contact our office by October 1, 2019 to set your preliminary conference appointment, I may place a disciplinary hold on your university account. This hold could prevent you from scheduling classes; viewing grades; or receiving transcripts, diplomas or refunds. Please note that if you do not participate in our process, I may continue this investigation without your input. This could result in charges, a hearing, and sanctions if a violation is found.

To schedule your preliminary conference, please call Student Conduct at (614) 292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday. Thank you in advance for your prompt attention to this matter.

Sincerely,



Emma Anderson
Student Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas
Senior Director of Parent and Family Relations and Greek Life - Ryan Lovell
Attorney/Advisor - Leslie A. Albeit, Esq.
ZBT Headquarters- Christina Parle

Student Rights and Responsibilities

The Code of Student Conduct provides the procedures and definitions used to respond to complaints regarding students' behavior. Many of the rights and responsibilities found in the Code of Student Conduct are highlighted below. For a full review of all the rights and responsibilities given to students please refer to the Code of Student Conduct, which can be found at www.studentconduct.osu.edu.

- Students shall receive written notice of university charges, through one of multiple methods of communication, including: in person; in a residence hall mailbox; by email to official university email address, which may then direct the student to view the notice in a secure website; by text message or other electronic communication; or by mail to a local or permanent address. **(3335-23-08-A)**

- Students are afforded the opportunity to meet with a university official following the notification of charges. **(3335-23-08-C)**
 - o University staff members authorized to investigate complaints usually request a meeting with students prior to issuing charges.
 - o Once charges are issued, students can request another meeting.
 - o Students are strongly encouraged to meet with a university official.

- Students may choose to bring an advisor (i.e., support person) for support throughout the disciplinary process. **(3335-23-12-C)**
 - o The advisor may be any person other than a witness.
 - o The advisor may only counsel the student and may not actively participate in the process.

- Students are offered options for the resolution of charges. **(3335-23-08-D)**
 - o Generally, students may choose between an administrative hearing or a hearing before the University Conduct Board to resolve charges other than those related to:
 - Academic Misconduct **(3335-23-04-A)**
 - Discrimination and harassment, including, but not limited to sexual misconduct, based on a protected class, prohibited by university policies 1.15 and 1.10, which can be found at <http://policies.osu.edu>. **(3335-23-02-C)**
 - o NOTE: If students fail to respond to the initiation of charges and there is enough information to support finding a violation, the hearing officer may issue an administrative decision, as long as the sanctions do not include suspension or dismissal. **(3335-23-09)**

- An administrative decision allows the student to admit, in writing, to the violation(s), and serves as a request to have appropriate sanctions made by the hearing officer, rather than having charges referred to a hearing body. **(3335-23-09)**

- In these cases, the student waives rights to a hearing and any procedural guarantees that come from taking part in a hearing.
- Students have the opportunity to request a separate hearing and choose either an administrative (with one university official) or board hearing, except under special circumstances. **(3335-23-10-C)**
 - Students will receive notice of the hearing at least 10 calendars prior to the hearing, including all charge(s), logistical information, and statement of student's rights. **(3335-23-11-C)**
 - The respondent may request to postpone the hearing for a reasonable cause, which must be made in writing and received by the person sending the hearing notification at least 2 business days in advance. Decisions on postponements are made at the discretion of the university. **(3335-23-11-D)**
 - Attendance at hearings, though not mandated is strongly encouraged, and also limited to, respondents and those directly involved or requested by the hearing body.
 - Students will be informed of witnesses invited to attend the hearing by the university, and will be able to invite relevant factual witnesses to attend. **(3335-23-12-D)**
 - The respondent will have the opportunity to ask questions of all witnesses.
 - A single record of the proceedings, consisting of written notes, audio recording, or another method determined by the hearing body will be made. This will remain the property of the university but will be made available to the respondent for review during the appeal period. **(3335-23-14)**
 - Students will only be found in violation if a preponderance of evidence supports the charges. **(3335-23-12-E)**
- Students found in violation of the code, or who accept responsibility for violating the code, will receive sanctions that should be commensurate with the violations found to have occurred. **(3335-23-17)**
 - A disciplinary sanction: a formal reprimand; disciplinary probation; suspension; or dismissal, will be given in addition to (in most cases) educational outcomes.
- Students found to have violated the code of student conduct have the right to appeal the original decision. **(3335-23-18)**
 - All appeals must be sent within five working days after the date on which notice of the decision was sent to the student, unless the deadline was extended in response to an extension request as described in 3335-23-18-A(2).
 - Students who accept responsibility through an administrative decision waive their right to appeal, except on the basis that the disciplinary sanction is grossly disproportionate to the violation(s) committed.

- Students are limited to one appeal of a decision, and the decision of the appeal officer is final.
- Information on how to submit an appeal, including grounds for appeal, will be included with communication following a decision from the appropriate hearing body.



October 7, 2019

Zeta Beta Tau

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

[REDACTED]

I am writing to give you an update on your conduct case. At this stage of my investigation, there exists reasonable cause to issue one or more charge(s) under the Code of Student Conduct. Charging does not, however, assume that you are responsible for violating any sections of the code; it only causes the second half of our process to begin.

I have attached your Charge and Process form to this email. Please review it carefully and select your resolution option. We can usually schedule administrative hearings on any business day. The University Conduct Board hears cases on Mondays and Fridays. If you select a hearing before the University Conduct Board, please indicate which of the available hearing days/start times you prefer. Upon request, we can provide an excuse letter for employers and instructors.

Once you have completed the form, you may scan and email it to anderson.3443@osu.edu. This form is due by 4:30 p.m. on October 9, 2019. Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct or scheduling an administrative hearing to resolve the charges.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>.

Upon request, Student Life's Student Advocacy Center (<http://advocacy.osu.edu>) is able to provide information and assistance about this process

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Please call or email me if you have questions.

Sincerely,

EmmaAnderson

Emma Anderson
Student Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas
Senior Director of Parent and Family Relations and Greek Life - Ryan Lovell
Attorney/Advisor - Leslie A. Albeit, Esq.
ZBT Headquarters- Christina Parle

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: [REDACTED] Zeta Beta Tau

Email: [REDACTED]

I. Charge(s): It is alleged that on September 21, 2019, you violated the following sections of the Code of Student Conduct:

- 3335-23-04 (G) Failure to Comply with University or Civil Authority. Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.

by engaging/or attempting to engage in conduct, that includes, but is not limited to:

- hosting an event with alcohol, thereby not complying with the directive to have no events with alcohol until further notice, which was delivered on August 27, 2019.

II. Acceptance/Non-Acceptance of Responsibility: To resolve these charges, place your initials next to your selection.

_____ I accept responsibility for the violation(s) of the Code of Student Conduct as listed in Section I of this form. **I request an Administrative Decision.**

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. **I request an Administrative Hearing before a University Hearing Officer.**

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. **I request a hearing before the University Conduct Board. My preferred hearing day/times are:**

- _____ **Mondays starting at 9:00 a.m.**
- _____ **Mondays starting at noon**
- _____ **Fridays starting at 9:00 a.m.**
- _____ **Fridays starting at noon**

Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct or scheduling an administrative hearing to resolve the charges.

III. Possible Sanctions: If you are found in violation, please understand that you may be subject to formal reprimand, disciplinary probation, suspension, dismissal or any other sanction or combination of sanctions in the Code of Student Conduct.

This form is due by 4:30 pm on **October 9, 2019.**

Signature: _____ Date: _____

October 7, 2019

Zeta Beta Tau

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

[REDACTED]

I am writing to give you an update on your conduct case. At this stage of my investigation, there exists reasonable cause to issue one or more charge(s) under the Code of Student Conduct. Charging does not, however, assume that you are responsible for violating any sections of the code; it only causes the second half of our process to begin.

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PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: [REDACTED] Zeta Beta Tau

Email: [REDACTED]

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[REDACTED] I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. **I request a hearing before the University Conduct Board. My preferred hearing day/times are:**

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- Mondays starting at noon
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- Fridays starting at noon

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This form is due by 4:30 pm on **October 9, 2019.**

Signature: _____  _____ Date: 10/7/2019